IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

WP(C).No. 25668 of 2007(E)

PETITIONER:

M/S N.V.JAMES & CO.,
KUNNATHUPEEDIKA, KOTTEKKAD,
KUTTUR P.O., THRISSUR, REPRESENTED BY
N.V.JAMES, MANAGING PARTNER.

BY ADV. SRI.ARIKKAT VIJAYAN MENON
SRI.HARISANKAR V. MENON
SMT.MEERA V.MENON
SRI.MAHESH V.MENON

RESPONDENTS:

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1. M/S MALANADU CEMENTS,
MARIYAPURAM P.O., IDUKKI DISTRICT.

2. SALES TAX OFFICER,
KATTAPPANA.

3. COMMERCIAL TAX OFFICER,
IIIRD CIRCLE, THRISSUR.

4. DEPUTY COMMISSIONER(APPEALS),
DEPT. OF COMMERCIAL TAXES,
ERNAKULAM.

R2 TO R4 BY G.P. SRI. SREEKRISHNA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 25668 OF 2007

Dated this the 23rd day of August, 2007

JUDGMENT

Since petitioner has filed appeal against sales tax assessment for 2004-05 and having regard to the contentions raised, W.P. is disposed of granting stay against recovery proceedings till disposal of the appeal on petitioner remitting one third of the demand within one month from now. The appellate authority is directed to take the appeal out of turn and dispose of the same within three months from the date of making payment as above.

(C.N.RAMACHANDRAN NAIR)
Judge